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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ORTIZ CRIADO, JORGE L

ART UNIT PAPER NUMBER

2627

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/022,836

Applicant(s)

PAE ET AL.

Examiner

Jorge L. Ortiz-Criado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 3-8, 11, 12 and 15-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 9, 10, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,2,9,10,13 and 14 are rejected under 35 U.S.C. 102(a) as being anticipated by Yasuda et al. J.P. Publication No. 11-339294.

In regard to claim 1, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6) by an elastic support (5); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x) directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]);

wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claim 2, Yasuda et al. discloses wherein the magnet is displaced in a radial direction of the disc toward the outer circumference of the disc (see Fig. 1(b)).

In regard to claim 9, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x) directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]); and a supporting unit (5) supporting the blade to tilt around an axis of the blade as the blade moves in the focusing direction (see [0016]; Fig. 4),

wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claim 10, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x)

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directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]); a unit (5) moving the blade to tilt around an axis of the blade as the blade moves in the focusing direction (see [0016]; Fig. 4), wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claims 13 and 14, Claims 13 and 14 have limitations similar to those treated in the above rejection(s), and are met by the references as discussed above. Claims 13 and 14 however also recite the limitations of a turntable and a motor, which are inherently for Yasuda et al's optical disk player ([0002]).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L. Ortiz-Criado whose telephone number is (571) 272-7624. The examiner can normally be reached on Mon.-Thu.(12:30 pm- 9:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER